

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

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In re:)
Broadband Innovations, LLC Application for a) Docket No. 02-00819
Certificate to Provide Competing Local)
Telecommunications Services within the State)
of Tennessee)

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TN REGULATORY AUTHORITY
DOCKET ROOM

PETITION TO INTERVENE

Aeneas Internet Services, LLC. ("Aeneas") petitions the Tennessee Regulatory Authority ("TRA") to intervene as a matter of right in the above-captioned proceeding pursuant to T.C.A. § 4-5-310(b).

In the above-captioned docket, Broadband Innovations, LLC seeks a certificate to provide competing local telecommunications services within Tennessee in competition with Aeneas, a certified provider operating in and around Jackson, Tennessee. As a competitor, Aeneas has a legal interest in insuring that Broadband complies with the statutes, rules and orders of the Authority. Aeneas therefore has a cognizable interest in the outcome of these proceedings.

Furthermore, Aeneas believes that the applicant is not a stand alone carrier but intends to offer service in partnership with the Jackson Energy Authority ("JEA"), a municipal-owned electric company. This belief is based upon the following public statement of JEA President John Williams to the Jackson City Council on May 7, 2002:

There's also the telephone business. Now, we're not interested in the telephone business *per se*. That's not the interest of the Jackson Energy Authority. But this system is going to be capable of delivering the telephone service to our customers. That's going to be delivered by another private venture, private local investors, Mr. Curtis Graves, with over 50 years of experience with the telephone business, spanning from SCB to owning his own telephone

company, to owning a manufacturing company which manufacture [sic.] switches and electronics for 911 systems, and, yes, electronics for the space program... will be investing in this venture. He will be our partner to bring telephone service over our system.

The individual referred to, Mr. Curtis Graves, is the president of BroadBand, the Applicant in this case. The application, however, makes no reference to the relationship between JEA and BroadBand on the applicable statutory requirements which apply to such a joint venture. *See, e.g.* T.C.A. § 7-52-401 *et seq.* and T.C.A. § 7-52-103(d). Aeneas submits that this is further indication that the petition to intervene should be granted and, as is required by statute, this matter be set for hearing. *See* T.C.A. § 65-4-201(c).

No hearing has yet been set in this matter and granting this petition will not impair the orderly and prompt conduct of this proceeding. Aeneas therefore requests that this Petition to Intervene be granted.

Respectfully submitted,

By: 


Henry Walker

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on the parties of record, via hand-delivery, overnight delivery or U.S. Mail, postage prepaid, addressed as follows on this 13th day of August, 2002:

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Henry Walker